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| 10/662,831 | 09/15/2003 | Barin Geoffry Haskell | 113030Con | 1180 |
| 26652 7590 01/08/2007 AT&T CORP. ROOM 2A207 ONE AT&T WAY BEDMINSTER, NJ 07921 | | | EXAMINER HUYNH, CONG LAC T | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2178 | |

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

DETAILED ACTION

1. This action is responsive to communications: amendment filed 10/19/06 to the application filed 9/15/03, which is a continuation of the application 09/236,462 filed on 1/25/99, now US Pat No. 6,654,931, which claims benefit of 60/072,923 filed 1/28/98.
2. Claims 18-46 are pending in the case. Claims 18 and 46 are the independent claims.
3. The rejections of claims 18-46 under 35 U.S.C. 101 have been withdrawn in view of the amendment.

Claim Objections

4. Claim 18 is objected to since the word "scene" after "(BIFS)" (line 5) appears to be redundant.

Double Patenting

5. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

6. Claims 18, 19, and 46 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 4 of U.S. Patent No. 6,654,931. Although the conflicting claims are not identical, they are not patentably distinct from each other because the audio-visual object systems as claimed in the two cases include the same components. Specifically, beside the media decoder and the compositor both have, the demultiplexer as in '831 is the same as the demultiplexing element in the demultiplexing layer in '931; the binary format of scene browser for *interacting* with a user in '831 is the same as the access layer for *accessing media by user* in '931; the binary format of scene description graph interpreter for *interpreting* the MPEG-4 data in '831 is the same as the MPEG-4 media *decoder* in '931 since both are for translating MPEG-4 media data; and the renderer in '831 that receives the interpreted MPEG-4 data and *presents* at least one object on the audiovisual object demultiplexer and binary format of scene browser is the same as the *display* in '931, which is for presenting the media object with browser.

Allowable Subject Matter

7. Claims 20-45 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Basso et al. (US 6,751,623, 06-2004). Crinon (US 6,801,575, 10-2004).

Liang et al. (US 2002/0133546, 09-2002). Mallart (US 2003/0037156, 02-2003).

Eleftheriadis et al. (US 6,092,107, 7/18/00). Eleftheriadis et al. (US 6,079,566, 6/27/00).

Bober et al., Video Coding for Mobile Communications – MPEG4 Perspective, Google 1996, pages 1-9.

Chiariglione, MPEG : A Technological Basis for Multimedia Applications, IEEE1995, pages 85-89.

Battista et al., MPEG-4: A Multimedia Standard for the Third Millennium, Part 1, IEEE 1999, pages 74-83.

Battista et al., MPEG-4: A Multimedia Standard for the Third Millennium, Part 2, IEEE 2000, pages 76-84.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 571-272-4125. The examiner can normally be reached on Mon-Thurs (9:00-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2178

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cong-Lac Huynh
Primary Examiner
Art Unit 2178
12/26/06